Stanhope Land Use Board November 19, 2018 Regular Meeting Minutes

CALL MEETING TO ORDER:

Chairman Maguire called the meeting to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE:

Chairman Maguire invited all those present to stand in a salute to the colors.

STATEMENT:

Adequate notice for this meeting has been provided according to the Open Public Meetings Act, Assembly Bill #1030. Notice for this Reorganization Meeting was forwarded to the New Jersey Herald and Daily Record on January 10, 2018 and was placed on the municipal bulletin board.

In the event the Board has not addressed all the items on its agenda by 11:00 p.m., and it is of the opinion that it cannot complete the agenda in a reasonable period, the Board may exercise its option to continue this meeting at an agreed time and place, within ten (10) days of this meeting.

At this time, please turn off all cell phones.

ROLL CALL:

Nicholas Bielanowski - present James Benson - absent Raymond Cipollini, Alt #1 – present Rosemarie Maio - present Thomas Pershouse - present Thomas Romano - absent John Rogalo - present Joseph Torelli - present Paula Zeliff-Murphy - present John Maguire - present

Others present: Board Attorney Glenn Gavan and Board Secretary Ellen Horak

MINUTES

October 15, 2018 Meeting – On motion by Mr. Torelli, seconded by Mayor Maio, the Minutes of the October 15, 2018 Meeting were approved on unanimous voice vote.

CORRESPONDENCE

10-26-18 Alan Fox, Esq. – Application for Amendment to Condition of Use Variance re: Blk \ 11205, Lot 4 (1-3 Kelly Place)

On motion by Mr. Torelli, seconded by Ms. Zeliff-Murphy, and carried by unanimous voice vote, the Correspondence List was accepted and placed on file.

OPEN TO THE PUBLIC FOR NON-AGENDA ITEMS:

Chairman Maguire opened the meeting to the public for non-agenda items.

Chris Mailander, 5 Kelly Place, asked to discuss the huge trucks traveling the roads. Chairman Maguire stated this portion of the open to the public is for non-agenda items only. The trucks she

wishes to discuss pertain to the application on for completeness. During the hearing process, the public will have an opportunity to voice their concerns.

Seeing no one further from the public wishing to speak, Chairman Maguire closed the public portion of the meeting.

COMPLETENESS:

18-01, Juntos Holdings, LLC

Blk 11205, Lot 4, Amendment to Condition of Variance Approval

Appl. Received: 10/26/18 45 days: 12/10/18

Mr. Gavan noted this application relates to a "D" Variance and therefore the Mayor or Council President cannot participate. Mayor Maio stepped down from the dais. Ms. Zeliff-Murphy, being a property owner within 200' of the applicant's property also stepped down from the dais.

Mr. Rogalo stated on occasion he has had a business relationship with the applicant and asked if he should step down. Mr. Gavan said if Mr. Rogalo feels his ability to judge the application has been compromised, he should step down, but if he feels he can fairly judge the application it is not a conflict. Mr. Rogalo stated he will be able to fairly judge the application.

John Fiorilla, of the firm Capehart & Scatchard, attorney for the applicant came forward. Mr. Fiorilla noted his clients are present. Mr. Fiorilla stated the application was submitted on October 25, 2018 and included a letter explaining the application as well as their expert's report. Chairman Maguire stated the Completeness Review Committee has reviewed the application and recommends it be deemed complete. Mr. Torelli commented that it would be helpful to have the two roads not identified on the map be named. Mr. Gavan suggested having the roads be identified when the professionals are present during the hearing. Mr. Gavan stated the application before the Board is to amend one of the conditions to a resolution previously granted. Mr. Pershouse asked if the previous resolution has been complied with. Mr. Gavan responded those questions can be asked during the hearing. Mr. Gavan stated any condition of the previous resolution that has not been complied with must be addressed before anything can be done. Mr. Fiorilla stated the State purchased a piece of the property that the previous owner was to use to satisfy one of the conditions. Mr. Gavan stated that must be addressed during the hearing process as well as the condition for signage approved by the police department to be put up.

On motion by Mr. Torelli, seconded by Mr. Bielanowski and carried by the following unanimous roll call vote, 18-01, Juntos Holdings, LLC, Application for an Amendment to Condition of Variance Approval was deemed complete.

AFFIRMATIVE: Mr. Bielanowski, Mr. Cipollini, Mr. Pershouse, Mr. Rogalo, Mr. Torelli,

Chairman Maguire

OPPOSED: None ABSTENSIONS: None

Mr. Gavan stated the hearing on this application is scheduled for December 10, 2018. The applicant must notify all property owners within 200' and publish notice of the hearing in the newspaper.

(Mayor Maio and Ms. Zeliff-Murphy returned to the dais.)

BILLS:

10/23/18 Re: Ryan Leavy – Variance Extension \$224.00

Bowman Consulting Group, Ltd.

11/08/18 Re: Bajwa, 7th Heaven Market \$140.00

Miscellaneous

10/31/18 NJ Herald – legal notice re: Leavy \$ 10.50 11/09/18 Linda Chirip – Secretarial Services \$ 20.00

On motion by Ms. Zeliff-Murphy, seconded by Mr. Pershouse, the aforesaid bills were approved on the following unanimous roll call vote.

AFFIRMATIVE:

Mr. Bielanowski, Mr. Cipollini, Mayor Maio, Mr. Pershouse, Mr. Rogalo,

Mr. Torelli, Ms. Zeliff-Murphy, Chairman Maguire

OPPOSED:

None

ABSTENSIONS: None

ADJOURNMENT:

On motion by Mr. Torelli, seconded by Mr. Cipollini, it was the consensus of the Board to adjourn the meeting at 7:35 P.M.

Respectfully submitted,

Ellen Horak, Board Secretary